

**THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA**

Monday, November 22, 2010

County Commissioners' Chambers
200 East Main Street, Durham, North Carolina

AGENDA

"Public Charge"

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chairman will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chairman will recess the meeting until such time that a genuine commitment to the public charge is observed.

As a courtesy to others, please turn off cell phones during the meeting.

7:00 P.M. Regular Session

1. **Opening of Regular Session**—Pledge of Allegiance 5 min.
2. **Agenda Adjustments** 5 min.
3. **Announcements** 5 min.
 - "In Touch with Durham County," the Durham County Television show, airs on Cable TV Channel 8 at 8:30 a.m. and 12 noon daily; 4:00 p.m. on Mondays; and 6:30 p.m. Tuesday-Sundays. Our County Commissioners' meetings are also rebroadcast on Thursdays at 2:00 p.m., Saturdays at 9:00 p.m., and Sundays at 9:00 p.m.
 - Each year since 2004, the United States Surgeon General has declared Thanksgiving to be *National Family History Day as a part of the Surgeon General's Family History Initiative*. On this day, families are encouraged to openly discuss and to write down the health problems that seem to run in their families. Learning about their family's health history may help ensure a longer, healthier future together. The Durham County Health Department encourages families to take a health portrait on Thanksgiving Day! To learn more about this day visit www.surgeongeneral.gov.
 - The FY2011-2012 Nonprofit Agency Funding process began on November 5, 2010 with the opening of the pre-application submission period. All Durham community nonprofits interested in applying for FY2012 nonprofit funding MUST first submit a Pre-Application Questionnaire and accompanying

documents no later than 5:00pm on December 15, 2010. All nonprofits who meet the eligibility criteria outlined in the County's nonprofit policy will then be invited to apply for FY2012 funding. The Pre-Application Questionnaire and the Nonprofit Agency Funding Program policy will be available on the County's website from November 5, 2010 through December 15, 2010. Early submission of the Pre-Application Questionnaire is encouraged. For additional information, please contact Laura Jensen in the Budget and Management Services department at 560-7065.

4. **Minutes**

5 min.

- a. November 1, 2010 Worksession
- b. November 1 Budget Session
- c. November 8 Regular Session

5. **Presentation of the Commissioners Community Circle Award to Urban Ministries of Durham**

5 min.

Urban Ministries of Durham is the November 2010 recipient of the Commissioners Community Circle Award. Since 1982, UMD has provided comprehensive services to Durham's diverse homeless and indigent population including food, shelter, clothing and support services for men, women and children. UMD operates a community café, community shelter, food pantry and clothing closet, the Hope Believe Recovery Program and the Journey Program.

In the last five years, UMD has experienced an increased demand to serve their target population. Last year, UMD provided emergency shelter to more than 1200 people; a 12% increase from the previous year. Understanding the changing needs of the economy and its clients, UMD has expanded its homeless prevention services by providing on-site food stamp registration, disability enrollments, screening to measure risk of homelessness and referrals to appropriate community support services within the continuum of care network.

UMD recently introduced its Journey Program, which successfully moved 45 individuals from their shelter to permanent living situations between January – May 2010. Additionally, 12 people were placed in transitional housing.

UMD works closely with Durham County's Department of Social Services, Cooperative Extension, Durham Center and other community partners to meet the high demand for homeless and homeless-prevention services in Durham.

Resource Person(s): Patrice Nelson, Executive Director of the Urban Ministries of Durham and Chairman Michael D. Page.

County Manager's Recommendation: The Manager recommends that the Board present the Commissioners' Community Circle Award to a representative from the Urban Ministries of Durham.

6. **Kids Voting Durham Recognizes Commissioner Ellen Reckhow as Champion of Democracy**

5 min.

On Thursday November 11, Kids Voting Durham held its annual Celebration and Champion of Democracy Awards at Hayti Heritage Center. The Champion of Democracy Award, begun in 2009, annually recognizes community partners who deepen Kids Voting's impact and further the mission of engaging Durham's young people in active citizenship and a lifetime of informed voting.

Durham County Commission Vice Chair Ellen Reckhow received the "Volunteer Award" from the group. Commissioner Reckhow has headed up the Kids Voting polling station at her neighborhood at Cole Mill Church of Christ for 10 years giving hundreds of young people the opportunity to cast a ballot like their parents. Along with Mike Shiflett, the 2009 award winner, she is the only volunteer to have participated in Kids Voting Durham continuously since its founding in 2000.

The "Youth Partner Award" was given to Shepard IB Middle School Students and Linda Fisher, Social Studies Teacher and the "Community Partner Award" was presented to Duke Energy.

Donna Rewalt and Carolyn Krueger of Kids Voting Durham-Cooperative Extension will make brief remarks.

Resource Person: Michael D. Page, Chair, Board of County Commissioners

County Manager's Recommendation: The County Manager recommends that the Board extend congratulations to Vice Chairman Ellen W. Reckhow for receiving this outstanding civic recognition as a Champion of Democracy from Kids Voting Durham.

7. **Consent Agenda**

15 min.

- a. Accept the property tax release and refund report for October 2010 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- b. Authorize the County Manager to enter into a contract amendment to increase the existing contract with Midwest Tape, LLC by \$13,900.00 for a total amount not to exceed \$305,300.00;
- c. Authorize the County Manager to enter into a contract with Southeastern Specialty Vehicles, in the amount of \$221,998 for the purchase of two (2) replacement vehicles for Durham County EMS (1) and Redwood Volunteer Fire/EMS Department (1);
- d. Approve Budget Amendment Ordinance No. 11BCC000028 in the amount of \$49,000 for the Child and Family Team Support program to establish one provisional social work position (1 FTE);
- e. Approve Budget Amendment Ordinance No. 11BCC000029 with an increase to \$6,777 to provide domestic violence services to Work First eligible clients;
- f. Approve Budget Ordinance Amendment No. 11BCC000030 to authorize the Sheriff's Office to accept the award in the amount of \$124,193 from the Bureau of Justice Assistance and approve Budget Ordinance Amendment No. 11BCC000030 appropriating \$124,193 to the Detention Center budget as requested;

- g. Approve the addition of three FTEs for Bethesda Volunteer Fire Department; and approve Budget Ordinance Amendment No. 11BCC000031 to transfer \$61,190 in funds from the Bethesda Fire District to the County of Durham to cover salary costs for the three additional FTEs in the Fire Marshal's agency in the general fund;
- h. Approve Budget Ordinance Amendment No. 11BCC000032 in the amount of \$8,646 to recognize Home and Community Health Care Block Grant (HCCBG) funds;
- i. Approve Budget Ordinance Amendment No. 11BCC000032 appropriating \$1,145,076 of Division of Medical Assistance funds to the Mental Health budget for the creation of a Utilization Management and Utilization Review (UM/UR) program and the approval of 22.00 new FTEs related to the program;
- j. Approve Budget Ordinance Amendment 11BCC000034 appropriating \$20,150.37 of insurance reimbursement funds for the purchase of a vehicle for the Sheriff's Department Narcotics Unit;
- k. Approve Budget Ordinance Amendment No. 11BCC000035 appropriating \$357,868 from the Home Health Sale Proceeds into the Public Health budget for the requested use;
- l. Approve Budget Ordinance Amendment No. 11BCC000036 appropriating \$286,076 from the Home Health Sale Proceeds into the Public Health and Non-departmental budget for various costs related to the sale and an appropriation of the remaining \$2,756,066 of Home Health Sale proceeds to the Community Health Trust Fund;
- m. Authorize the County Manager to execute a contract with Lee Electrical Contractors, Inc. (LEC) for the construction of the Durham County Fiber Optic Network Infrastructure Project, in an amount not to exceed a construction cost of \$643,574.85, and to execute any other related contracts including change orders, if necessary, not to exceed the construction budget of \$695,060.84;
- n. Grant an easement to Duke University Health Systems, Inc for the installation and maintenance of fiber optic conduit and cable along the south side of the now closed Wisteria Avenue, and authorize the Manager to execute an easement agreement.

8. **Public Comments**

15 min.

The Board of Commissioners is requested to vote on the proposed amended changes to the County's procedure on Public Hearings and the Public Comment Period.

Resource Person(s): Lowell Siler, County Attorney; Kathy R. Everett-Perry, Assistant County Attorney.

County Manager's Recommendation: The County Manager recommends that the Board consider the proposed changes to Durham County's current procedure as presented and vote to amend them, if appropriate.

9. **Board and Commission Appointments**

10 min.

Michelle Parker-Evans, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards and commissions:

- Adult Care Home Community Advisory Committee
- Community Child Protection Team/Child Fatality Prevention Team
- Durham Convention & Visitors Bureau

- EMS Council
- Nursing Home Community Advisory Committee
- Women's Commission

Resource Person: Michelle Parker-Evans, Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners vote to appoint members to the above-mentioned boards/commissions.

10. **Items Pulled from the Consent Agenda**

20 min.

11. **Closed Session**

60 min.

The Board of Commissioners is requested to adjourn to closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, pursuant to G.S. § 143-318.11(a)(6).

The Board is requested to adjourn to Closed Session pursuant to G. S. 143-318.11(a) (4) to discuss matters relating to the location or expansion of a business or industry.

Resource Person(s): Mike Ruffin, County Manager

County Manager's Recommendation: The County Manager recommends that the Board adjourn to closed session and provide directives as appropriate.

2 hrs. 25 min.



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**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Presentation of the Commissioners Community Circle Award to Urban Ministries of Durham

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

The Commissioners' Community Circle Award, created by the Durham Board of County Commissioners, recognizes community organizations and county departments for the extraordinary services they provided to the citizens of Durham. Urban Ministries of Durham is the November 2010 recipient of the Commissioners Community Circle Award. Since 1982, UMD has provided comprehensive services to Durham's diverse homeless and indigent population including food, shelter, clothing and support services for men, women and children. UMD operates a community café, community shelter, food pantry and clothing closet, the Hope Believe Recovery Program and the Journey Program.

In the last five years, UMD has experienced an increased demand to serve their target population. Last year, UMD provided emergency shelter to more than 1200 people; a 12% increase from the previous year. Understanding the changing needs of the economy and its clients, UMD has expanded its homeless prevention services by providing on-site food stamp registration, disability enrollments, screening to measure risk of homelessness and referrals to appropriate community support services within the continuum of care network.

UMD recently introduced its Journey Program, which successfully moved 45 individuals from their shelter to permanent living situations between January – May 2010. Additionally, 12 people were placed in transitional housing.

UMD works closely with Durham County's Department of Social Services, Cooperative Extension, Durham Center and other community partners to meet the high demand for homeless and homeless-prevention services in Durham.

RESOURCE PERSON(S): Patrice Nelson, Executive Director of the Urban Ministries of Durham and Chairman Michael D. Page.

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board present the Commissioners' Community Circle Award to a representative from the Urban Ministries of Durham.

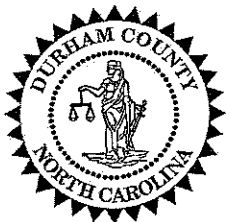
County Manager: _____

Michael M. Rieper

Motion Yes No

- () Approved
() Denied

Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____



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**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Kids Voting Durham Recognizes Commissioner Ellen Reckhow as Champion of Democracy

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

On Thursday November 11, Kids Voting Durham held its annual Celebration and Champion of Democracy Awards at Hayti Heritage Center. The Champion of Democracy Award, begun in 2009, annually recognizes community partners who deepen Kids Voting's impact and further the mission of engaging Durham's young people in active citizenship and a lifetime of informed voting.

Durham County Commission Vice Chair Ellen Reckhow received the "Volunteer Award" from the group. Commissioner Reckhow has headed up the Kids Voting polling station at her neighborhood at Cole Mill Church of Christ for 10 years giving hundreds of young people the opportunity to cast a ballot like their parents. Along with Mike Shiflett, the 2009 award winner, she is the only volunteer to have participated in Kids Voting Durham continuously since its founding in 2000.

The "Youth Partner Award" was given to Shepard IB Middle School Students and Linda Fisher, Social Studies Teacher and the "Community Partner Award" was presented to Duke Energy.

Donna Rewalt and Carolyn Krueger of Kids Voting Durham-Cooperative Extension will make brief remarks.

RESOURCE PERSON: Michael D. Page, Chair, Board of County Commissioners

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board extend congratulations to Vice Chairman Ellen W. Reckhow for receiving this outstanding civic recognition as a Champion of Democracy from Kids Voting Durham.

County Manager: _____

Elizabeth M. Reppin

	Motion	Yes	No
() Approved			
() Denied			
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____



Durham County Center



For Release Thursday, November 11, 2010

Contact: Carolyn Kreuger, Kids Voting Durham
Phones: Office (919) 560-7321 Mobile (919) 423-9227
carolyn@kidsvotingdurham.org
www.kidsvotingdurham.org

Kids Voting Durham Recognizes Champions of Democracy

On Thursday November 11 at 6:30 pm at Hayti Heritage Center Kids Voting Durham will hold its annual Celebration and Champion of Democracy Awards. Media are invited to attend.

The Champion of Democracy Award, begun in 2009, recognize community partners who deepen Kids Voting's impact and further the mission of engaging Durham's young people in active citizenship and a lifetime of informed voting. This year's honorees are:

Volunteer Award: Commissioner Ellen Reckhow

Commissioner Reckhow has headed up the Kids Voting polling station at her neighborhood at Cole Mill Church of Christ for 10 years giving hundreds of young people the opportunity to cast a ballot like their parents. Along with Mike Shiflett, the 2009 award winner, she is the only volunteer to have participated in Kids Voting Durham continuously since its founding in 2000.

Youth Partner Award: Shepard IB Middle School Students and Linda Fisher, Social Studies Teacher

Shepard students have run one of the most robust in-school Kids Voting election programs and have participated in every election for the last 5 years as well as been key participants in Kids Voting student candidate forums and other activities. Linda Fisher serves as the school's Kids Voting coordinator and constantly finds innovative ways to ensure students have opportunity for hand-on learning about active citizenship and democratic involvement.

Community Partner Award: Duke Energy

Duke Energy adopted the McMannen precinct in 2000 and employee volunteers have run the Kids Voting poll at that site every year since. Duke Energy's ongoing and dedicated involvement in the Kids Voting program is representative of their commitment to contribute to the vitality and development of the Durham community. Brenda Duke has coordinated this site for Duke Energy.

Kids Voting Durham also uses this annual celebration to recognize the thousands of student voters who went to the polls Nov. 2 and made their vote heard, the hundreds of volunteers and community organizations that make this work possible, and its many corporate and individual supporters.

2009 awardees were youth organizations YO: Durham and DSA's Octagon Service Club, Kids Voting Durham volunteer and Advisory Board Chair Mike Shiflett, and long-time Community Partner Measurement, Inc.

Kids Voting Durham is a program of the Durham County Cooperative Extension.

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COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form

ITEM: Property Tax Releases and Refunds for Fiscal Year 2010-2011

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc., the attached report details releases and refunds for the month of October 2010.

Releases & Refunds for 2010 Taxes:

Real	\$ 54,984.59
Personal	\$ 74,689.29
Motor Vehicles	\$ 29,231.72
Vehicle Fees	\$ 1,190.00
Solid Waste	\$ 190.00
Total for 2010 Taxes and Fees	\$ 160,285.60

Prior years' (2002-2009) releases and refunds for October 2010 are in the amount of \$130,648.01. The total current year and prior years' releases and refunds amount to \$290,933.61.

RESOURCE PERSON(S): Kimberly H. Simpson, Tax Administrator

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board accept the property tax release and refund report for October 2010 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

County Manager: _____

Richard M. Rupp

	Motion	Yes	No
() Approved			
() Denied			
Bowser	_____	_____	_____
Howerton	_____	_____	_____
Heron	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____



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**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Increase to Funds Reservation 1000000852 to Purchase of Audiovisual Materials and Cataloging/Processing Services

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

On May, 10, 2010 the Board approved the County Manager to enter into a contract with Midwest Tapes, LLC that allows the company to serve as the primary vendor for the purchase of audiovisual materials and cataloging/processing services as specified in RFP #09-024 for a total not to exceed \$291,400.00. The funds for this contract came from the Construction Projects Budget for South and Southwest Regional Libraries.

The Board is requested to authorize the County Manager to enter into a contract amendment to increase this contract by \$13,900.00 for a total not to exceed amount of \$305,300.00.

RESOURCE PERSON(S): Priscilla A. Lewis, Interim Library Director

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board authorize the County Manager to enter into a contract amendment to increase the existing contract with Midwest Tape, LLC by \$13,900.00 for a total amount not to exceed \$305,300.00.

County Manager: *Richard M. Reppin*

	Motion	Yes	No
() Approved	Bowser	_____	_____
() Denied	Heron	_____	_____
	Howerton	_____	_____
	Page	_____	_____
	Reckhow	_____	_____

**NORTH CAROLINA
DURHAM COUNTY**

CONTRACT AMENDMENT

THIS CONTRACT AMENDMENT is made and entered into this **23rd** day of **November, 2010** by and between the **COUNTY OF DURHAM** (hereinafter referred to as "**County**") and **MIDWEST TAPE, LCC** (hereinafter referred to as "**Contractor**").

WITNESSETH:

THAT WHEREAS, the County and Contractor entered into a contract dated **May 10, 2010**, to Purchase Library Audiovisual Materials and Cataloging/Processing Services, in the amount of \$291,400.00 (hereinafter the "Original Agreement") Funds Reservation# **1000000852**; and

WHEREAS, the County and Contractor desire to amend the Original Agreement, while keeping in effect all terms and conditions of the Original Agreement not inconsistent with the terms and conditions set forth below.

NOW THEREFORE, for and in consideration for the mutual covenants and agreements made herein, the parties agree to amend the Original Agreement as follows:

1. The compensation paid to Contractor shall be increased by **\$13,900.00** to an amount not to exceed **\$305,300.00**.
2. By execution hereof, the person signing for Contractor below certifies that he/she has read this Contract Amendment and that he/she is duly authorized to execute this contract on behalf of the Contractor.
3. Except for the changes made herein, the Original Agreement shall remain in full force and effect to the extent not inconsistent with this Amendment. In the event that there is a conflict between the Original Agreement and this Amendment, this Amendment shall control.

IN WITNESS WHEREOF, the parties have expressed their agreement to these terms by causing this Contract Amendment to be executed by their duly authorized office or agent. This Contract Amendment shall be effective as of the date herein.

CONTRACTOR

DURHAM COUNTY

By: _____

By: _____

Michael M. Ruffin, County Manager

Name/Title: _____

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

George K. Quick, Durham County Finance Director

Bond Change Rider

To be attached to and form part of bond number: **2097074**

Dated: **April 8, 2010**

Currently in the amount of:

**Two Hundred Ninety One Thousand Four Hundred and No/100ths
(\$291,400.00)**

On behalf of: **Midwest Tape, LLC
P.O. Box 820
Holland, OH 43528**

In Favor of: **Board of County Commissioners of Durham County
Attn: Purchasing, 4th Floor, 200 East Main Street
Durham, NC 27701**

It is hereby understood and agreed that the amount of this bond is increased from:

**Two Hundred Ninety One Thousand Four Hundred and No/100ths
(\$291,400.00)**

to

**Three Hundred Five Thousand Three Hundred and No/100ths
(\$305,300.00)**

This rider shall become effective: **11/09/2010**

Signed, sealed and dated: **10/20/2010**

Midwest Tape, LLC

Principal

By: 

North American Specialty Insurance Company

Surety

By: 

Catherine M. Krueger, Attorney-In-Fact

NAS SURETY GROUP

NORTH AMERICAN SPECIALTY INSURANCE COMPANY
WASHINGTON INTERNATIONAL INSURANCE COMPANY

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Manchester, New Hampshire, and Washington International Insurance Company, a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Schaumburg, Illinois, each does hereby make, constitute and appoint:

DENNIS G. JOHNSON, STEPHEN E. LAWSON, PAUL E. JOHNSON,
JAMES N. LORTIE, CATHERINE M. KRUEGER and HOLLY R. CARVER

JOINTLY OR SEVERALLY

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

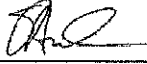
FIFTY MILLION (\$50,000,000.00) DOLLARS


This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on the 24th of March, 2000:

"RESOLVED, that any two of the Presidents, any Managing Director, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By 
Steven P. Anderson, President & Chief Executive Officer of Washington International Insurance Company
& Senior Vice President of North American Specialty Insurance Company

By 
David M. Layman, Senior Vice President of Washington International Insurance Company
& Vice President of North American Specialty Insurance Company



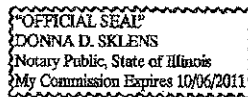
IN WITNESS WHEREOF, North American Specialty Insurance Company and Washington International Insurance Company have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 22nd day of September, 2010.

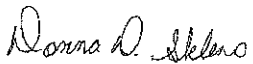
North American Specialty Insurance Company
Washington International Insurance Company

State of Illinois
County of Cook

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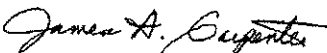
On this 22nd day of September, 2010, before me, a Notary Public personally appeared Steven P. Anderson, President and CEO of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and David M. Layman, Senior Vice President of Washington International Insurance Company and Vice President of North American Specialty Insurance Company, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.




Donna D. Sklens, Notary Public

I, James A. Carpenter, the duly elected Assistant Secretary of North American Specialty Insurance Company and Washington International Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company and Washington International Insurance Company, which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 20th day of October, 2010



James A. Carpenter, Vice President & Assistant Secretary of Washington International Insurance Company &
North American Specialty Insurance Company



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**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Ambulance Replacement

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

At its November 8, 2004 meeting, the Board approved a policy change allowing the County to replace volunteer fire department ambulances and title the vehicles directly to the specific fire department. This policy is a part of the County's agreement to provide annual reimbursement to the departments for their EMS related expenses for assistance they provide Durham County EMS. The vehicles will be replaced based on specifications approved by the County EMS Director and will follow a pre-approved replacement schedule. This process will allow for a more economically efficient vehicle acquisition, allow the volunteer fire departments to retain ownership, maintain required insurance, and provide necessary maintenance with the provider of choice.

Durham County EMS and Redwood Fire/EMS were approved by the Board of County Commissioners for one (1) replacement ambulance each (total 2) for this fiscal Budget Year 10-11. Southeastern Specialty Vehicles under Bid IFB No. 10-008 has offered two (2) additional replacement ambulances for the same price of \$110,999.00 as last year for a total of \$221,998. These vehicles are two (2) additional Chevy G4500 ambulances which are less than the budgeted amount.

This agenda item has been reviewed by the Purchasing Division.

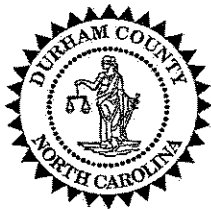
RESOURCE PERSON(S): M.W. Smith, EMS Director

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends the Board authorize the County Manager to enter into a contract with Southeastern Specialty Vehicles, in the amount of \$221,998 for the purchase of two (2) replacement vehicles for Durham County EMS (1) and Redwood Volunteer Fire/EMS Department (1).

County Manager: *Richard M. Rappin*

- () Approved
() Denied

	Motion	Yes	No
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____



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COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form

ITEM: Budget Ordinance Amendment No. 11BCC000028 for the Department of Social Services to recognize funds from Durham Public Schools in the amount of \$49,000 for a Child and Family Support Team Social Worker (1 FTE)

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

The Department of Social Services requests its budget be amended to recognize funds in the amount of \$49,000 from Durham Public Schools (DPS). Funding has been made available to Durham Public Schools from the state to establish a provisional social worker position in the Child and Family Support Team program. Seven positions were funded in previous years. DPS was advised to expect that two positions would be cut for the upcoming school year however; they did receive an allocation that would allow one of the positions to be returned to the program.

No local dollars required.

RESOURCE PERSONS: Gerri Robinson, Director

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends the Commissioners approve Budget Ordinance No. 11BCC000028 in the amount of \$49,000 for the Child and Family Team Support program to establish one provisional social work position (1 FTE).

County Manager: _____

Richard M. Rappin

	Motion	Yes	No
() Approved			
() Denied			
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

Durham County, North Carolina

2010-2011 Budget Ordinance

Amendment Number 11BCC000028

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

Revenue			
Category	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Intergovernmental	\$78,618,111	\$49,000	\$78,667,111

Expenditures			
Function	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Human Services	\$111,801,335	\$49,000	\$111,850,335

All ordinance and portions of ordinance in conflict herewith are hereby repealed.

Approved November 22, 2010

NORTH CAROLINA
DURHAM COUNTY

AMENDMENT

This Amendment is made and entered into this 8 day of September, 2010 by and between the County of Durham, a political subdivision of the State of North Carolina (hereinafter "**County**"), and Durham Public Schools.

WITNESSETH:

THAT WHEREAS, the Parties entered into an Agreement dated September 8, 2010, for the provision of one additional social worker, (hereinafter the "Original Agreement"); and

WHEREAS, the Parties desire to amend the Original Agreement, while keeping in effect all terms and conditions of the Original Agreement not inconsistent with the terms and conditions set forth below.

NOW THEREFORE, for and in consideration for the mutual covenants and agreements made herein, the parties agree to amend the Original Agreement as follows:

1. Except for the changes made herein, the Original Agreement shall remain in full force and effect to the extent not inconsistent with this Amendment. In the event that there is a conflict between the Original Agreement and this Amendment, this Amendment shall control.

IN WITNESS WHEREOF, the Parties have expressed their agreement to these terms by causing this Amendment to be executed by their duly authorized office or agent. This Amendment shall be effective as of the date herein.

DURHAM COUNTY

By: Gerri Robinson

Gerri Robinson, Director

CONTRACTOR

Carolyn Olivarez, Finance Officer



7e

**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Budget Ordinance Amendment No. 11BCC000029 for the Department of Social Services to recognize TANF Domestic Violence Revenue in the amount of \$6,777

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

The Department of Social Services requests its budget be amended to recognize TANF Domestic Violence revenue subsequent to adoption of the FY2010-2011 Budget. The purpose of this funding is to provide domestic violence services to Work First eligible clients. These funds shall be used to provide domestic violence counseling, support, and other direct services to clients. Each county department of social services and the local domestic violence shelter program serving the county shall jointly develop a plan for utilizing these funds. Attached is a copy of the State Funding Authorization. With this amendment, the department recognizes \$6,777 which is the difference between the adopted budget and the actual allocation.

No local dollars required.

RESOURCE PERSONS: Gerri Robinson, Director; Rhonda Stevens, Assistant Director

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Commissioners recommend approval of Budget Ordinance No. 11BCC000029 with an increase of \$6,777 to provide domestic violence services to Work First eligible clients.

County Manager: _____

Richard M. Rappin

	Motion	Yes	No
() Approved			
() Denied			
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

Durham County, North Carolina

2010-2011 Budget Ordinance

Amendment Number 11BCC000029

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

Revenue			
Category	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Intergovernmental	\$78,667,111	\$6,777	\$78,673,888

Expenditures			
Function	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Human Services	\$111,850,335	\$6,777	\$111,857,112

All ordinance and portions of ordinance in conflict herewith are hereby repealed.

Approved November 22, 2010



DIVISION OF SOCIAL SERVICES

TANF Domestic Violence

EFFECTIVE DATE: 07/01/2010

AUTHORIZATION NUMBER: 1

ALLOCATION PERIOD

FROM JUNE 2010 THRU MAY 2011 SERVICE MONTHS

FROM JULY 2010 THRU JUNE 2011 PAYMENT MONTHS

Co. No.	COUNTY	Initial (or Previous) Allocation Funding Authorization			Additional Allocation			Grand Total Allocation		
		Federal	State	Total	Federal	State	Total	Federal	State	Total
01	ALAMANCE	30,768	0	30,768	0	0	0	30,768	0	30,768
02	ALEXANDER	11,979	0	11,979	0	0	0	11,979	0	11,979
03	ALLEGHANY	7,337	0	7,337	0	0	0	7,337	0	7,337
04	ANSON	17,029	0	17,029	0	0	0	17,029	0	17,029
05	ASHE	9,078	0	9,078	0	0	0	9,078	0	9,078
06	AVERY	10,547	0	10,547	0	0	0	10,547	0	10,547
07	BEAUFORT	10,421	0	10,421	0	0	0	10,421	0	10,421
08	BERTIE	12,028	0	12,028	0	0	0	12,028	0	12,028
09	BLADEN	14,404	0	14,404	0	0	0	14,404	0	14,404
10	BRUNSWICK	17,735	0	17,735	0	0	0	17,735	0	17,735
11	BUNCOMBE	40,812	0	40,812	0	0	0	40,812	0	40,812
12	BURKE	34,806	0	34,806	0	0	0	34,806	0	34,806
13	CABARRUS	24,943	0	24,943	0	0	0	24,943	0	24,943
14	CALDWELL	9,189	0	9,189	0	0	0	9,189	0	9,189
15	CAMDEN	6,711	0	6,711	0	0	0	6,711	0	6,711
16	CARTERET	12,954	0	12,954	0	0	0	12,954	0	12,954
17	CASWELL	8,110	0	8,110	0	0	0	8,110	0	8,110
18	CATAWBA	29,779	0	29,779	0	0	0	29,779	0	29,779
19	CHATHAM	18,467	0	18,467	0	0	0	18,467	0	18,467
20	CHEROKEE	10,595	0	10,595	0	0	0	10,595	0	10,595
21	CHOWAN	8,375	0	8,375	0	0	0	8,375	0	8,375
22	CLAY	8,996	0	8,996	0	0	0	8,996	0	8,996
23	CLEVELAND	25,667	0	25,667	0	0	0	25,667	0	25,667
24	COLUMBUS	22,439	0	22,439	0	0	0	22,439	0	22,439
25	CRAVEN	22,733	0	22,733	0	0	0	22,733	0	22,733
26	CUMBERLAND	64,093	0	64,093	0	0	0	64,093	0	64,093
27	CURRITUCK	8,262	0	8,262	0	0	0	8,262	0	8,262
28	DARE	10,801	0	10,801	0	0	0	10,801	0	10,801
29	DAVIDSON	21,143	0	21,143	0	0	0	21,143	0	21,143
30	DAVIE	8,846	0	8,846	0	0	0	8,846	0	8,846
31	DUPLIN	13,067	0	13,067	0	0	0	13,067	0	13,067
* 32	DURHAM *	29,409	0	29,409	0	0	0	29,409	0	29,409
33	EDGECOMBE	22,291	0	22,291	0	0	0	22,291	0	22,291
34	FORSYTH	60,912	0	60,912	0	0	0	60,912	0	60,912
35	FRANKLIN	13,612	0	13,612	0	0	0	13,612	0	13,612
36	GASTON	27,768	0	27,768	0	0	0	27,768	0	27,768
37	GATES	7,965	0	7,965	0	0	0	7,965	0	7,965
38	GRAHAM	7,931	0	7,931	0	0	0	7,931	0	7,931
39	GRANVILLE	12,304	0	12,304	0	0	0	12,304	0	12,304
40	GREENE	10,916	0	10,916	0	0	0	10,916	0	10,916
41	GUILFORD	93,841	0	93,841	0	0	0	93,841	0	93,841
42	HALIFAX	13,931	0	13,931	0	0	0	13,931	0	13,931
43	HARNETT	19,389	0	19,389	0	0	0	19,389	0	19,389
44	HAYWOOD	21,838	0	21,838	0	0	0	21,838	0	21,838
45	HENDERSON	24,361	0	24,361	0	0	0	24,361	0	24,361
46	HERTFORD	9,194	0	9,194	0	0	0	9,194	0	9,194
47	HOKE	8,492	0	8,492	0	0	0	8,492	0	8,492



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**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Budget Ordinance Amendment No. 11BCC000030 - Appropriating \$124,193 Of Revenue From The Bureau Of Justice Assistance (BJA) For the Detention Center

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

On July 1, 2009, the County of Durham authorized a service contract with Robert S. Segal, CPA PA., for the purpose of identifying Detention Center services that may be eligible for reimbursement through Federal Financial Participation. The Durham County Sheriff's Office, assisted by Robert S. Segal, CPA PA., applied for reimbursement of incurred correctional officer salary costs through the State Criminal Alien Assistance Program (SCAAP) administered by the Bureau of Justice Assistance (BJA) April 23, 2010. SCAAP provides federal payments to states and localities that incurred salary costs for incarcerating undocumented criminal aliens who have at least one felony or two misdemeanor convictions for violations of state or local law, and who are incarcerated for at least 4 consecutive days during the reporting period. The Bureau of Justice Assistance has announced Durham County is eligible for payment in the amount of \$124,193.

Authorization is requested from the Board of County Commissioners to accept the SCAAP revenue, and amend the Detention Center operating budget to appropriate the \$124,193. Based on the terms of the contract, Robert S. Segal, CPA PA., is to be paid seventeen percent (17%) of the eligible award for compiling Detention Center population data. Therefore, payment to Robert S. Segal, CPA PA., will be \$21,113, with the remainder of the award being allocated to the personnel budget of the Detention Center. No additional County funding is needed to implement the terms of the contract.

RESOURCE PERSON(S): Kim Cook, Comptroller - Sheriff's Office

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board authorize the Sheriff's Office to accept the award in the amount of \$124,193 from the Bureau of Justice Assistance and approve Budget Ordinance Amendment No. 11BCC000030 appropriating \$124,193 to the Detention Center budget as requested.

County Manager: Richard M. Ruppel

- () Approved
() Denied

	Motion	Yes	No
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

Durham County, North Carolina

2010-2011 Budget Ordinance

Amendment Number 11BCC000030

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

Revenue			
Category	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Intergovernmental	\$78,673,888	\$124,193	\$78,798,081

Expenditures			
Function	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Public Safety	\$44,555,037	\$124,193	\$44,679,230

All ordinance and portions of ordinance in conflict herewith are hereby repealed.

Approved November 22, 2010



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**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Budget Ordinance Amendment No. 11BCC000031—Request for Three Additional FTEs and appropriation of \$64,190 of Fire District funds—Bethesda Volunteer Fire Department

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

Bethesda Volunteer Fire Department is requesting the addition of three full-time firefighters, supporting the current staff of 18 full-time career firefighters and 1 full-time career Fire Chief, for the remaining fiscal year at a cost of \$64,190. Adding these three firefighters will ensure that Bethesda has at least seven fire personnel on each shift to support emergency response operations. Due to the increased number of emergency responses Bethesda must make to the community, these personnel are needed to enable the station to provide better customer service and better protection for its firefighters.

The terms of the agreement between Durham County and Bethesda Volunteer Fire Department will transfer \$64,190 in funds from the Fire District to the County to cover the cost of these three additional FTEs.

RESOURCE PERSON(S): Jeff Batten, Fire Marshal/Emergency Management Director

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Durham Board of County Commissioners approve the addition of three FTEs for Bethesda Volunteer Fire Department; and approve Budget Ordinance Amendment No. 11BCC000031 to transfer \$64,190 in funds from the Bethesda Fire District to the County of Durham to cover salary costs for the three additional FTEs in the Fire Marshal's agency in the general fund.

County Manager: Richard M. Rappin

() Approved
() Denied

	Motion	Yes	No
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

Durham County, North Carolina

2010-2011 Budget Ordinance Amendment Number 11BCC000031

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

Revenue			
Category	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Other Financing Sources	\$18,829,620	\$53,463	\$18,883,083
BENEFITS PLAN FUND	\$15,310,137	\$10,727	\$15,320,864

Expenditures			
Function	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Public Safety	\$44,679,230	\$53,463	\$44,732,693
BENEFITS PLAN FUND	\$15,310,137	\$10,727	\$15,320,864
SPECIAL REVENUE FUND			
General Government	\$1,036,255	\$64,190	\$1,100,445
Public Safety	\$575,113	(\$64,190)	\$510,923

All ordinance and portions of ordinance in conflict herewith are hereby repealed.

Approved November 22, 2010



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COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form

ITEM: Budget Ordinance Amendment 11BCC000032 for the Department of Social Services to recognize Home and Community Care Block Grant (HCCBG) funds in the amount of \$8,646

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

The Durham County Department of Social Services and the Durham Center for Senior Life are co-lead agencies for receiving the HCCBG funds and administering the programs. The goal of services provided under this grant is to enable recipients to stay at home longer; receiving the care and services they need in their own homes, thus reducing the necessity for out of home placement. Durham County has received an increase in funding of \$17,293 and is evenly split between the Durham Center for Senior Life (\$8,647) and Social Services (\$8,646). The net increase to the Social Services budget is \$8,646. Attached is a copy of the revised HCCBG County Funding Plan.

RESOURCE PERSONS: Gerri Robinson, Director; Bob Wallace, Adult Services Program Manager

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Commissioners approve Budget Ordinance No. 11BCC000032 in the amount of \$8,646.

County Manager: *William M. Reagin*

		Motion	Yes	No
<input type="checkbox"/> Approved	Bowser	_____	_____	_____
<input type="checkbox"/> Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
	Page	_____	_____	_____
	Reckhow	_____	_____	_____

Durham County, North Carolina

2010-2011 Budget Ordinance Amendment Number 11BCC000032

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

Revenue			
Category	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Intergovernmental	\$78,798,081	\$8,646	\$78,806,727

Expenditures			
Function	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Human Services	\$111,857,112	\$8,646	\$111,865,758

All ordinance and portions of ordinance in conflict herewith are hereby repealed.

Approved November 22, 2010

NAME AND ADDRESS

COMMUNITY SERVICE PROVIDER

Durham Center for Senior Life

406 Rigsbee Avenue

Durham, NC 27701

Home and Community Care Block Grant for Older Adults

County Funding Plan

DOA-732 (Rev. 2/10)

County Durham

July 1, 2010 through June 30, 2011

REVISION # 1, DATE: October 12, 2010

Provider Services Summary

	A														I							
	Ser. Delivery			Block Grant Funding					B	C	D	E	F	G		H						
	(Check One)						Required Local Match	Net* Serv Cost									NSIP Subsidy	Total Funding	Projected HCOBG Units	Projected Reimburse. Rate	Projected HCOBG Clients	Projected Total Units
	Direct.	Purch.	Access	In-Home	Other	Total																
Services																						
Adult Day Health				65000		////////////////	7222	72222		72222		2253	40.00	40		9286						
Information and Case Assistance				208739		////////////////	23193	231932		231932		na	na	341		na						
Sr. Centers Programs			181275			////////////////	20142	201417		201417		na	na	9611		na						
Transportation			70000			////////////////	7778	77778		77778		6422	12.57	62		6422						
Congregate Nutrition					113203	////////////////	12578	125781	20000	145781		15814	9.04	356		18591						
Total	////////	////////	251275	273739	113203	638217	70913	709130	20000	729130		24489	////////	10410		34299						

*Adult Day Care & Adult Day Health Care Net Service Cost

ADC

ADHC

Daily Care

Transportation

Administrative

Net Ser. Cost Total

Certification of required minimum local match availability.

Required local match will be expended simultaneously

with Block Grant Funding.

Hal Davis Ex-Dir. 10/12/10
 Authorized Signature, Title
 Community Service Provider

Date

George K. Clark 11-9-10
 Signature, County Finance Officer

Signature, Chairman, Board of Commissioners.

Date

Note: The \$113,203 of congregate nutrition "block grant funding" above does not include Elderly Nutrition Funds through the American Recovery and Reinvestment Act.

June 30, 2011

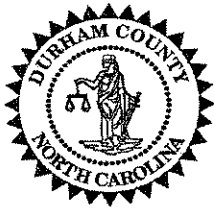
REVISION # #1, Oct. 12, 2010

*Adult Day Care & Adult Day Health Care Net Service Cost

Signature, Chairman, Board of Commissioners Date

Community Service Provider

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**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Budget Ordinance Amendment No. 11BCC000033 — Appropriation of \$1,145,076 of Division of Medical Assistance Funds for the Durham County Mental Health Local Management Entity (LME) to Operate A Utilization Management and Utilization Review (UM/UR) Program and a Request for 22.00 New FTE Related to the Program

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

In the 2010 Session, the General Assembly passed legislation that all authorizations for the Community Alternative Program (CAP) services were to be conducted by the LMEs instead of a private provider. Utilization management is a critical function of the LME to manage the system and to ultimately control the cost of services. Since September of 2010 The Durham Center (TDC) has been conducting the function of approving authorizations (utilization management) of all behavioral health Medicaid services for Durham County. TDC was one of two LMEs in NC who met the standards to assume this function. Two additional LMEs met the initial requirements for approving authorizations for CAP; therefore, the State assigned all remaining LMEs to the 4 LMEs who met the requirements.

The Division will be paying a per member per month (PMPM) rate to cover the cost of reviews and related overhead. Currently Durham has 330 consumers, with the additional counties the number could reach over 5,000 recipients. The budget estimate assumes a PMPM rates for 5,158 recipients at \$37 a month for 6 months, equaling \$1,145,076. The PMPM rate has been set to make the project cost neutral for the LMEs. A listing of the assigned counties is attached.

In order to actualize this responsibility we will need to take the following action:

- Hire 22.00 FTEs – (12 care manager specialists, 3 support staff, 2 IT positions, 1 quality management position, 2 customer service specialists, 1 clinical supervisor, and 1 PhD Psychologist)
- Confirm additional space for new staff
- Purchase equipment/furniture/supplies to perform these duties

In order to accomplish this task The Durham Center requests that the FY 2010-11 Mental Health budget be increased by \$1,145,076 and 22.00 FTEs be created.

RESOURCE PERSON: Ellen Holliman, The Durham Center Area Director

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 11BCC000032 appropriating \$1,145,076 of Division of Medical Assistance funds to the Mental Health budget for the creation of a Utilization Management and Utilization Review (UM/UR) program and the approval of 22.00 new FTEs related to the program.

County Manager: *Richard M. Rupp*

Motion Yes No

- () Approved
() Denied

Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

Durham County, North Carolina

2010-2011 Budget Ordinance

Amendment Number 11BCC000033

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

Revenue			
Category	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Intergovernmental	\$78,806,727	\$1,145,076	\$79,951,803
BENEFITS PLAN FUND			
	\$15,320,864	\$78,661	\$15,399,525

Expenditures			
Function	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
General Government	\$67,852,182	\$78,661	\$67,930,843
Human Services	\$111,865,758	\$1,066,415	\$112,932,173
BENEFITS PLAN FUND			
	\$15,320,864	\$78,661	\$15,399,525

All ordinance and portions of ordinance in conflict herewith are hereby repealed.

Approved November 22, 2010

LME CAP MR/DD UR ASSIGNMENTS

LME	Additional Counties to be Covered by LME Applicant
Alamance Caswell	DURHAM
Beacon Center	EASTPOINTE
CenterPoint	CROSSROADS
Crossroads	CenterPoint: Davie, Forsyth, Rockingham, Stokes WHN: Buncombe, Henderson, Madison, Mitchell, Polk, Rutherford, Transylvania, Yancey
Cumberland	EASTPOINTE
Durham	Guilford Wake A/C: Alamance, Caswell Five County: Franklin, Granville, Halifax, Vance, Warren OPC: Orange, Person, Chatham Sandhills: Anson, Harnett, Hoke, Lee, Montgomery, Moore, Randolph, Richmond
Eastpointe	Beacon: Edgecombe, Green, Nash, Wilson Cumberland Johnston SER: Bladen, Columbus, Robeson, Scotland OCBHS: Carteret, Onslow SEC: Brunswick, New Hanover, Pender ECBH: Beaufort, Bertie, Camden, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Martin, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, Washington
ECBH	EASTPOINTE
Five County	DURHAM
Guilford	DURHAM
Johnston	EASTPOINTE
Mecklenburg	PATHWAYS
Mental Health Partners	PATHWAYS
Onslow-Carteret	EASTPOINTE
OPC	DURHAM

Pathways	<p>MHP: Burke, Catawba</p> <p>Mecklenburg</p> <p>SMC: Alexander, Alleghany, Ashe, Avery, Caldwell, Cherokee, Clay, Graham, Haywood, Jackson, Macon, McDowell, Swain, Watauga, Wilkes</p>
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Sandhills	DURHAM
Smoky Mountain	PATHWAYS
Southeastern Center	EASTPOINTE
Southeastern Regional	EASTPOINTE
Wake	DURHAM
Western Highlands	CROSSROADS

1. The LME must have a signed Performance Contract on file with the Department of Health and Human Services (DHHS).
2. The LME must meet the criteria for Single Stream Funding
3. The LME must be a Quality Improvement Organization (QIO)-like entity as certified by the Centers for Medicare and Medicaid Services (CMS).
4. The LME must currently be fully accredited for a period of three years by one of the four accrediting bodies identified by DHHS.
5. By January 1, 2014, the LME shall be accredited for UR by NCQA or URAC.
6. The LME must have the financial resources to meet all requirements of the transition and implementation of all of the CAP MR/DD UR functions within the parameters given and without any additional funding from the State.
<p>7. The LME must have an Information Management System capable of performing all the activity and requirements of Utilization Management, including but not limited to:</p> <ul style="list-style-type: none"> ▪ Capturing and tracking service request information ▪ Secure web connection for providers to check the status of authorization requests ▪ Data Collection/Processing/Reporting ▪ ITS Standards (Privacy and Security, Records and Confidentiality, HIPAA Standards, Confidentiality, Security, Statewide Architecture, etc) ▪ Disaster Recovery ▪ Interface with the Global Eligibility File ▪ Interface with the Provider File ▪ Interface with the fiscal agent (HP) by sending daily/weekly files and error reports
8. The LME agrees to develop a business and technical plan for implementation of CAP MR/DD UR.
9. The LME agrees to utilize all standardized forms and processes as directed by DMA.
10. The LME agrees to the timely submission of all data and reports requested by DMA.
11. The LME has UR policies and procedures that are in compliance with State requirements.
12. The LME shall not serve as legal guardian for any recipient of CAP MR/DD waiver services.
<p>13. The LME provides neither Medicaid reimbursable CAP MR/DD Waiver services nor any services available to CAP MR/DD recipients.</p> <p>(Provider services currently billed through the LME may be continued as may the pass through function for supplies, etc. is acceptable.)</p>
<p>14. The LME attests to the following on behalf of the LME and its principals (i.e., officers, directors, agents or managing employees):</p> <ul style="list-style-type: none"> ▪ that there have been no legal actions taken against the LME during the past two (2) years in which case the LME or any of its principals was found guilty of, regardless of adjudication, or who entered a plea of nolo contendere. ▪ that the LME nor its principals is presently debarred, suspended or proposed for debarment,

LME Minimum Requirements for CAP MR/DD Utilization Review (UR)

<p>declared ineligible, nor voluntarily excluded from participation by any Federal or state department or agency.</p> <ul style="list-style-type: none"> ▪ that no federal appropriated funds have been paid or will be paid by or on behalf of the undersigned to any person for purposes of lobbying or to influence or attempt to influence an officer or employee of any agency, a Member of Congress, an officer of employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement. <p>If the answer to any of the above is in the affirmative regarding the LME or any of its principals, the LME must attach an explanation of each applicable requirement.</p>
<p>15. The LME maintains medical malpractice/liability insurance with the limits of at least \$1,000,000/occurrence and at least \$3,000,000 in the aggregate.</p>
<p>16. The LME must not show favoritism to any provider. The LME may not authorize services to be provided by any provider in which any of the LME's employees has an interest as defined below.</p> <p>Interest – having a familial or financial relationship with the provider agency or any of its investors, owners, board members or employees.</p> <p>Financial relationship – contractual or employment arrangement; arrangement involving a commission, reward, or other financial, material or tangible consideration or benefit.</p>
<p>17. The LME can demonstrate that staffing of UM unit will be adequate to address the volume of reviews to be managed.</p> <p>17.1. A Medical Director holding an unencumbered NC Medical License and who is board certified in psychiatry and who is designated to provide oversight to the CAP MR/DD UR functions.</p> <p>17.2. One designated contact who has a clinical background and who will coordinate this effort with the Department.</p> <p>17.3. One full time Director of Information Management Systems with a minimum of two (2) years experience in data management for a large health care contract/organization.</p> <p>17.4. Clinical Review Staff –</p> <p style="padding-left: 40px;">17.4.1. Staff conducting CAP MR/DD Waiver services or other DD services reviews must meet the criteria for QP in developmental disabilities with a BA in Human Services and 2 years experience with the relevant population.</p> <p style="padding-left: 40px;">17.4.2. Supervision for CAP MR/DD UR provided by a Licensed Professional with DD expertise.</p>
<p>18. LME Quality Improvement and Performance Standards (Quality Improvement Plan, e.g.)</p>
<p>19. Attestation to the ability to become fully functional to perform testing beginning December 13, 2010, and to perform CAP MR/DD UR by January 20, 2011, including participation in all due process activities.</p>
<p>20. The LME may not subcontract any function of the CAP MR/DD UR.</p>
<p>21. The LME agrees to abide by all specifications of the contract.</p>



7j

**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Budget Ordinance Amendment 11BCC000034 - Sheriff's Office Appropriation of Insurance Reimbursement (\$20,150.37) To Purchase A Vehicle

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

The Sheriff's department had two vehicles totaled in the course of performing Law Enforcement functions. The combination of the two property damage liability settlements is \$20,150.37. The two property settlements will be a sufficient amount to purchase one vehicle for the Narcotics Unit.

RESOURCE PERSONS: Kim Cook, Comptroller, Durham County Sheriff's Office

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve Budget Ordinance Amendment 11BCC000034 appropriating \$20,150.37 of insurance reimbursement funds for the purchase of a vehicle for the Sheriff's Department Narcotics Unit.

County Manager: _____

Motion Yes No

- () Approved
() Denied

Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

Durham County, North Carolina

2010-2011 Budget Ordinance

Amendment Number 11BCC000034

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

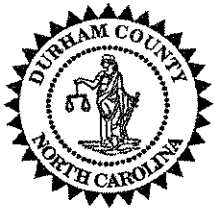
That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

Revenue			
Category	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Other Revenues	\$537,655	\$20,150	\$557,805

Expenditures			
Function	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Public Safety	\$44,732,693	\$20,150	\$44,752,844

All ordinance and portions of ordinance in conflict herewith are hereby repealed.

Approved November 22, 2010



7k

COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form

ITEM: Budget Ordinance Amendment No. 11BCC000035: Appropriate \$357,868 from the Home Health Sale Proceeds into the Public Health Budget

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

The Board is requested to approve the appropriation of \$357,868 from the Home Health sale proceeds into the Public Health budget. These funds will be used to complete medical and program record scanning (\$113,904) and allow all medical personnel to access electronic records and enhance options for revenue collection (\$243,964). The funds will be budgeted as follows:

Expenses: Public Health Departmental Fund Center (5100621200) – Miscellaneous Contracts (52100160100) - \$357,868

The Board of Health has approved this amendment.

RESOURCE PERSON(S): Gayle B. Harris, Health Director

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 11BCC000035 appropriating \$357,868 from the Home Health Sale Proceeds into the Public Health budget for the requested use.

County Manager: *William M. Rupp*

	Motion	Yes	No
() Approved			
() Denied			
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

Durham County, North Carolina

2010-2011 Budget Ordinance

Amendment Number 11BCC000035

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

Revenue

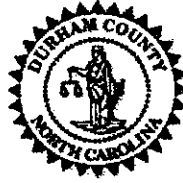
Category	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Other Revenues	\$557,805	\$357,868	\$915,673

Expenditures

Function	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Human Services	\$112,932,173	\$357,868	\$113,290,041

All ordinance and portions of ordinance in conflict herewith are hereby repealed.

Approved November 22, 2010



COUNTY OF DURHAM

HEALTH DEPARTMENT

October 25, 2010

Michael "Mike" Ruffin, County Manager
Durham County Government
200 East Main Street
Durham, NC 27701

Ref: Request for Funds from the Proceeds of the Home Health Sale

Dear Mr. Ruffin:

In January, in preparation for a second difficult budget year (FY 10-11), the Board of Health approved the staff recommendation to propose to the Board of County Commissioners (BOCC) the sale of the home health agency, Visiting Nurse Service of Durham. This decision was made based, primarily, on two factors: 1) the BOCC desire to reduce the budget by divesting services that were or could be provided by other entities within the community; and 2) the opportunity to generate additional revenue to support public health initiatives.

Throughout the conversations regarding the sale and the proceeds from the sale, the Board of Health understood that both you and the Board of County Commissioners support the Health Department's use of these funds for one-time expenditures. To that end, the Board of Health is requesting **\$357,867.11** to strengthen the department's infrastructure in preparation for transitioning into the work environment dictated by the new facility. The needs identified are listed below.

- **Complete medical and program record scanning:** **\$113,903.11**
Approximately 850,000 inactive and active documents remain. Staff members are not able to maintain primary work responsibilities and complete the scanning project prior to the move.
- **Allow all medical personnel to access electronic records and enhance options for revenue collection:** **\$243,964.00**
Purchase additions to the Netsmart software, the patient management system and the electronic health record
 - Forty (40) additional user licenses (\$126,887.50) and annual maintenance fees (\$25,377.50);
 - Pharmacy module (\$16,281.50) that will link to the electronic health record, professional fees that will provide on-site training (\$3,600) and annual maintenance fees (\$6,512.50);

- Case Management module (\$6,512.50), professional fees that will provide on-site training, (\$2,850) and annual maintenance fees (\$2,605);
- NC Debt Setoff Report (\$6,512.50) to provide an additional mechanism to collect unpaid charges from customers and annual maintenance fees (\$2,605).

(Note: The Netsmart pricing above has been discounted by \$282,484 based on a customer incentive program associated with our initial software purchase. This pricing expires December 15, 2010.)

- Sixty-seven (67) additional LaserFiche User licenses (\$44,220) to allow more staff access to scanned files. Utilization has exceeded the current capacity.

We strongly believe the investment in these expenditures will strengthen the department's infrastructure and position staff to work more efficiently and effectively as we move into a new phase for public health in this community.

Thank you in advance for considering this request. We look forward to and hope for a positive response.

Sincerely,



William "Bill" Burch, R. Ph.
Chair, Durham County Board of Health

cc: Board of Health
Gayle B. Harris
Carolyn Titus



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COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form

ITEM: Budget Ordinance Amendment No. 11BCC000036 - Appropriate \$286,076 From The Home Health Sale Proceeds To Offset Various Costs Related To The Sale In The General Fund And Transfer \$2,756,066 From The Home Health Sale Proceeds To The Community Health Trust Fund

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

The Board is requested to approve the appropriation of \$286,076 from the Home Health sale proceeds into the Public Health department budget and the Non-departmental budget. These funds will support position costs, legal services, advertising costs, and miscellaneous expenses incurred related to the sale of the Home Health Agency.

The total sale price of the Home Health Agency was \$3,400,010, with \$357,868 being appropriated for budget amendment #11BCC000035, and \$286,076 being appropriated for various sale costs as part of this amendment. The remaining amount, \$2,756,066 is to be transferred to the Community Health Trust Fund per Agenda Item 9a from the August 23, 2010 Board of County Commissioners Meeting.

RESOURCE PERSON(S): Carolyn Titus, Deputy County Manager, and Gayle Harris, Health Director

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends the Board approve Budget Ordinance Amendment No. 11BCC000036 appropriating \$286,076 from the Home Health Sale Proceeds into the Public Health and Non-departmental budget for various costs related to the sale and an appropriation of the remaining \$2,756,066 of Home Health Sale proceeds to the Community Health Trust Fund.

County Manager: _____

Richard M. Reppin

	Motion	Yes	No
() Approved			
() Denied			
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

Durham County, North Carolina

2010-2011 Budget Ordinance

Amendment Number 11BCC000036

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

Revenue			
Category	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
Other Revenues	\$915,673	\$3,042,142	\$3,957,815
COMMUNITY HEALTH TRUST FUND			
	\$4,250,000	\$2,756,066	\$7,006,066

Expenditures			
Function	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
General Government	\$67,930,843	\$2,811,478	\$70,742,321
Human Services	\$113,290,041	\$230,664	\$113,520,705
COMMUNITY HEALTH TRUST FUND			
	\$4,250,000	\$2,756,066	\$7,006,066

All ordinance and portions of ordinance in conflict herewith are hereby repealed.

Approved November 22, 2010

7m



**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Execution of the Construction Contract for the Durham County Fiber Optic Network Infrastructure Project. Project No.: DC134

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

The Board is requested to authorize the County Manager to enter into a contract with Lee Electrical Contractors, Inc. (LEC) for the construction of the Durham County Fiber Optic Network Infrastructure Project, in an amount not to exceed a construction cost of \$643,574.85, and to execute any other related contracts including change orders, if necessary, not to exceed the construction budget of \$695,060.84 (See Attachment 1, Pages 1 - 5).

The Request for Proposals (RFP) for construction of the Durham County Fiber Optic Network Infrastructure Project was advertised in local newspapers on November 12, 2010. A pre-proposal conference was held on October 18, 2010 and two proposals were received on November 9, 2010. A Selection Committee comprised of representatives from Durham County IT, Purchasing and Engineering Departments and the project consultants reviewed the proposals. As LEC was the highest-ranked proposal, telephone interviews were conducted with the contractor and their subcontractor Ken-Nect Communications to confirm their ability to complete the project.

The County's Fiber Optic Network Infrastructure project includes the design and installation of a fiber optic network infrastructure to link County facilities to the central node of the County network in the Durham County Administrative Building. Compared to just five years ago, most of the County's departments have become highly dependent upon the Information Technology network infrastructure for access to business applications, data stores, and other network resources. Currently, most inter-site network connectivity is leased. As the County's bandwidth requirements increase, inter-site leased costs will continue to grow. Installation of high-speed infrastructure is critical to maintaining pace with the increasing bandwidth demands of departments. This project will increase efficiency, improve service access and delivery, and reduce recurring leased line costs once implemented. Funding is available for this project in the Fiber Optic Network Infrastructure Capital Project account. The attached Overview Map shows the routing and buildings connected by the Fiber Optic Network Infrastructure Project (See Attachment 1, Page 1).

Durham County established the following goals for the expenditure of funds with M/WBEs:

Ethnicity/Race/Gender Industry	African American	Asian American	Hispanic American	Native American	Women-Owned
Other Professional Services	7.20%	N/A	N/A	N/A	3.55%

This agenda item has been reviewed and approved by the Purchasing Division. In review of the M/WBE participation for this project, LEC will be utilizing 26.4% Women Owned business for other professional services on this project, and they have provided a responsive bid. The vendor has

committed to working with Durham County to seek additional M/WBE participation if the opportunity prevails.

RESOURCE PERSON (S): Glen Whisler, P.E., County Engineer; Perry Dixon, Director, Information Services; Pamela Gales, Assistant Purchasing Manager; Ademola Shobande, Assoc. AIA, Senior Project Manager; James Faress, P.E., Project Manager, Engineering Department and Dennis Hayes, P.E., Edmondson Engineers, PA.

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board authorize the County Manager to execute a contract with Lee Electrical Contractors, Inc. (LEC) for the construction of the Durham County Fiber Optic Network Infrastructure Project, in an amount not to exceed a construction cost of \$643,574.85, and to execute any other related contracts including change orders, if necessary, not to exceed the construction budget of \$695,060.84.

County Manager:

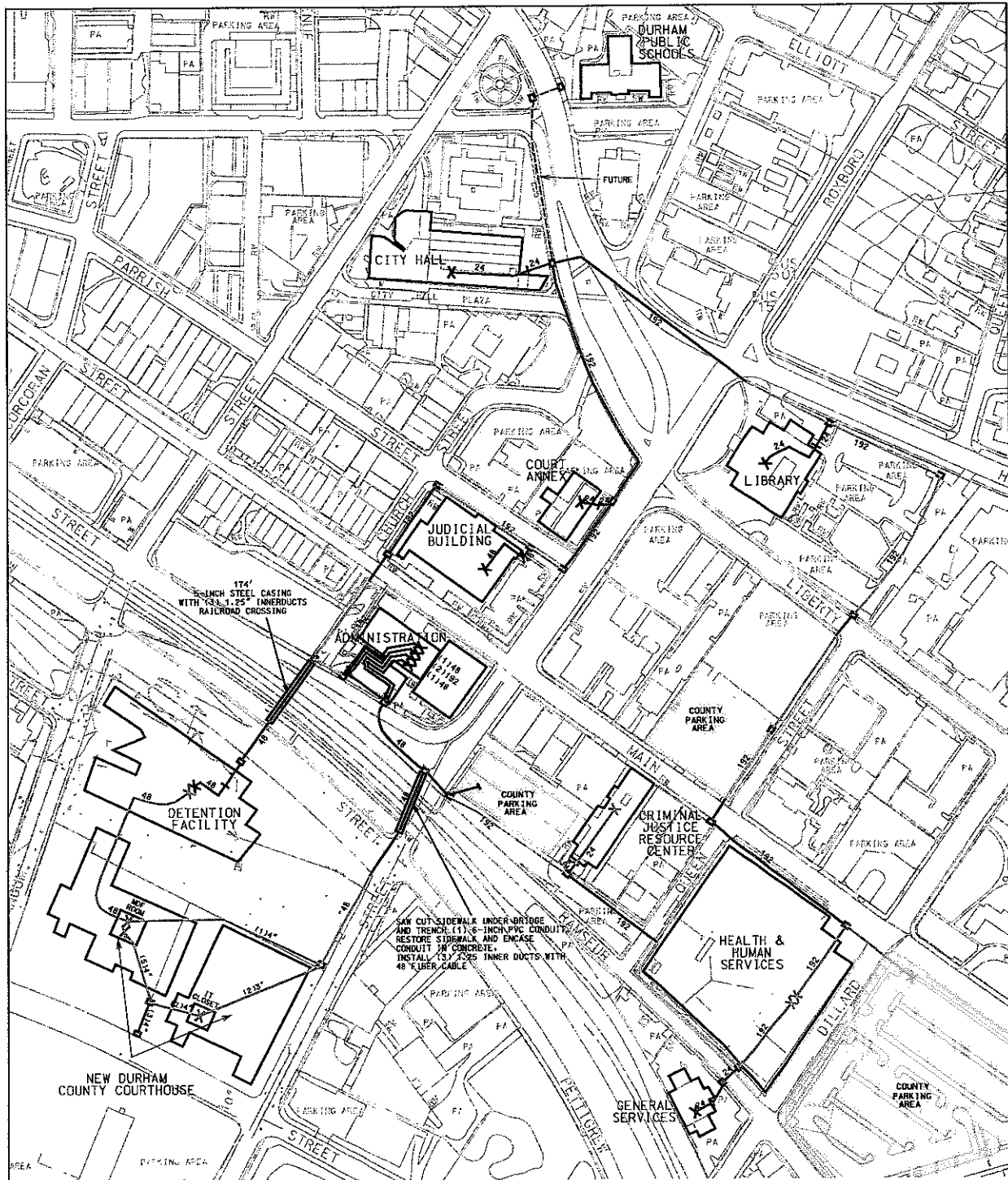
Richard M. Reppin

- () Approved
() Denied

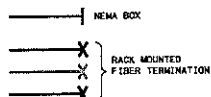
Bowser
Heron
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Page
Reckhow

Motion	Yes	No
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

"ATTACHMENT 1"



- QUARTZITE STYLE HANDHOLE.
- (3) 1.25 HOPE CONDUITS INSTALLED PRIMARILY BY DIRECTIONAL BORE ON DURHAM COUNTY PROPERTY. (NO PERMIT)
- (3) 1.25 HOPE CONDUITS INSTALLED PRIMARILY BY DIRECTIONAL BORE ON PUBLIC RIGHT OF WAY OR RAILROAD RIGHT OF WAY (PERMIT REQUIRED).
- 2" or 3" PVC CONDUIT TRENCHED FROM HANDHOLE TO OUTSIDE BUILDING WALL.
- EXISTING BUILDING CONDUIT.
- NEW INSIDE CONDUIT FROM TELCOM ROOM TO NEMA BOX.
- 3" OR 4" PVC BY BUILDING CONTRACTOR.



DURHAM COUNTY	
FIBER OPTIC NETWORK INFRASTRUCTURE PROJECT	
PROPOSED FIBER NETWORK OVERVIEW	
Engineered By : HWT	
Sheet : 1	
Date : 05/19/2010	Revised : 10/08/2010
Scale : NTS	
CBW COMMUNICATIONS ENGINEERS	

DURHAM COUNTY FIBER OPTIC NETWORK INFRASTRUCTURE		
CONSTRUCTION BUDGET		November 15, 2010
Description	Costs	Status
Construction Contract	\$ 643,574.85	
Construction Contingency	\$ 51,485.99	
Total Construction Budget	\$ 695,060.84	

Fiber Optic Network Infrastructure Project
Durham, North Carolina
RFP No.: 11-012 Bid Tabulation

November 9, 2010 at 2:00 pm

Single Prime Contractors

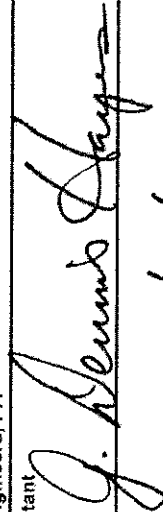
Company Name	Lee Electrical Contractors, Inc.	Templar, Inc.	Better Cable Systems, Inc.	Graycliff Enterprises, Inc.	Whiting Construction Co., Inc.	Communication Services, Inc.	Trawick Construction Company, Inc.
Location	Aberdeen, NC	Holly Springs, NC	Roxboro, NC	Greensboro, NC	Troutman, NC	Marshville, NC	Chilepy, FL
Bid Form	XX	XX					
Non Collusion Affidavit	XX	XX					
Bid Bond	N/A	N/A					
Power of Attorney	N/A	N/A					
M/WBE Appendices	XX	XX					
Vendor Application/Bidder's Profile	XX	XX					
No Proposal Reply Form			XX	XX	XX	XX	XX
Bid Proposal Form	XX	XX					
Addendum #1	XX	XX					
Base Bid:	\$643,574.85	\$1,104,688.30					

I certify that the above is a true and accurate tabulation of the bids received at 2:00 p.m. on November 8, 2010.

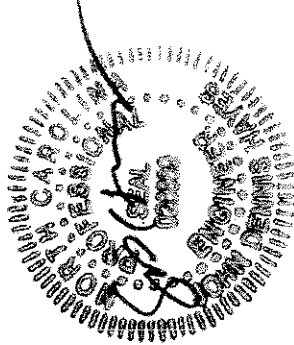
Edmondson Engineers, PA

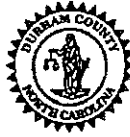
Design Consultant

Signature



11/16/2010





REQUEST FOR PROPOSALS

DURHAM COUNTY FIBER OPTIC NETWORK INFRASTRUCTURE PROJECT (RFP No. 11-012)

ISSUE DATE: October 12, 2010

ISSUING DEPARTMENT: County of Durham Purchasing Division
4th Floor / 200 E. Main Street
Durham, NC 27701

Proposals will be received until **2:00 P.M., on November 9, 2010** to provide a Fiber Optic Metropolitan Area Network (FO-MAN) in the downtown Durham area to provide connectivity to eleven Durham County properties as well as the Durham City Hall.

All inquiries concerning the Scope of Services, Proposal Submission Requirements or Procurement Procedures should be directed to:

Hilda W. Williams, Senior Buyer (919) 560-0054
purchasinggroup@durhamcountync.gov

Proposals shall be mailed and/or hand delivered to the Issuing Department shown above, and the envelope shall bear the name and number of this Request for Proposals (RFP). It is the sole responsibility of the Bidder to ensure that its proposal reaches the Purchasing Division by the designated date and hour indicated above.

In compliance with this Request for Proposals and to all the terms and conditions imposed herein, the undersigned offers and agrees to furnish the goods and services described in accordance with the attached signed proposal.

Firm Name: See Electrical Construction, LLC By: _____

Address: P.O. Box 55

ABERDEEN N.C. 28315

Phone: 910-695-3278

Date: 11-9-2010

Signature in Ink

Signature Typed/Printed

DURHAM COUNTY
Fiber Optic Network Infrastructure Project
PROPOSAL SUMMARY

Section BM	<u>13500.00</u>
Section FO	<u>38024.75</u>
Section HO	<u>72960.00</u>
Section HU	<u>4350.00</u>
Section UD	<u>303595.50</u>
Section UH	<u>154800.00</u>
Section UO	<u>50344.60</u>
Section W	<u>6000.00</u>

Total \$ 643574.85



7n

COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form

ITEM: Easement to Duke University Health Systems, Inc

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

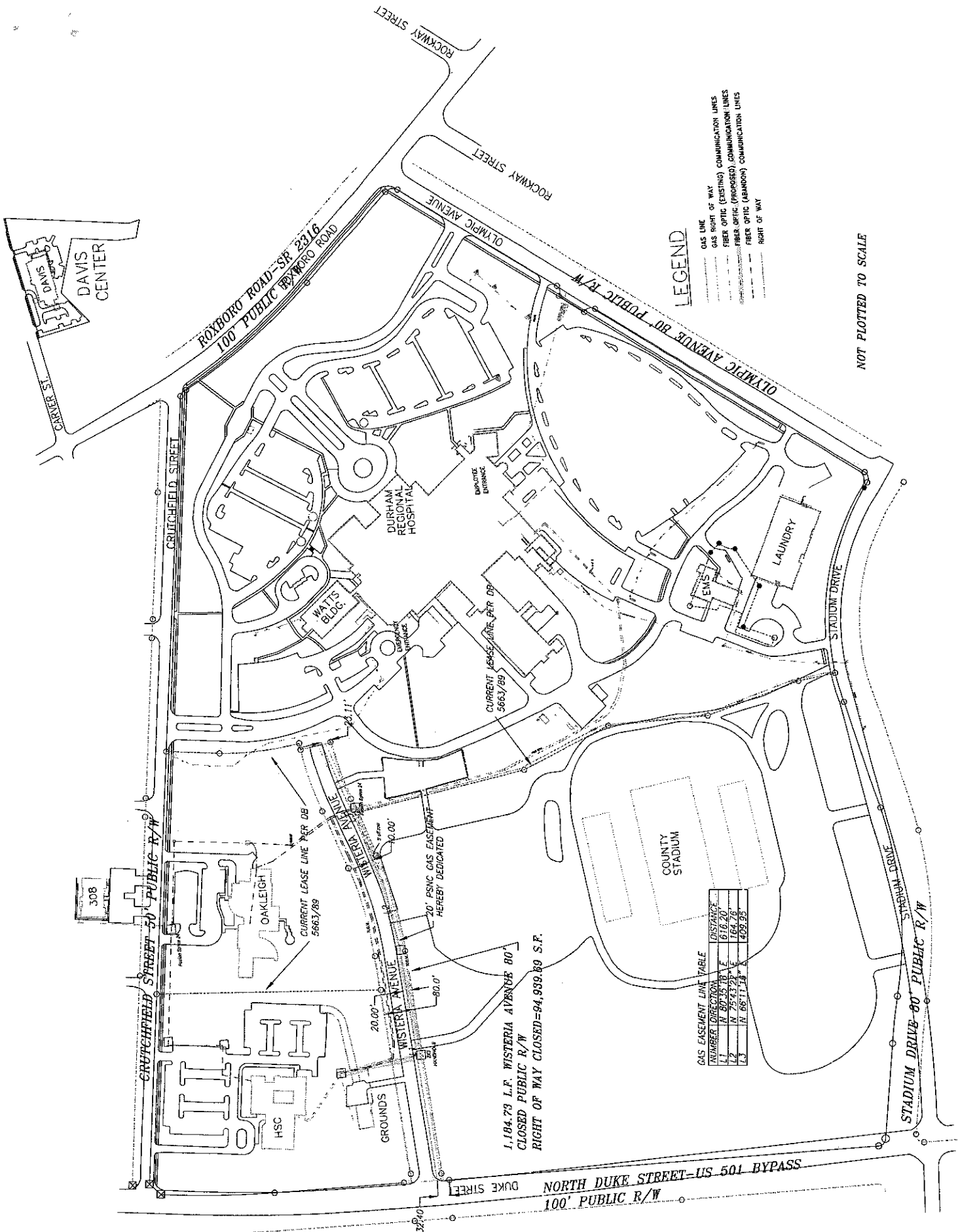
The Board is requested to grant an easement to Duke University Health Systems, Inc for the installation and maintenance of fiber optic conduit and cable along the south side of the now closed Wisteria Avenue. The need for this easement arose during the construction of the City of Medicine Academy. DPS uncovered a fiber optic cable lying north of the now closed Wisteria Avenue which services Durham Regional facilities. The hospital has requested an easement to consolidate and relocate their fiber cables currently laid along the now closed Wisteria Avenue. The Hospital will be responsible for the cost of all work related to the relocation, installation and maintenance, and will coordinate the installation with DPS during their construction of the City of Medicine Academy to avoid any conflicts. Attached is a map of the proposed location of the easement.

RESOURCE PERSON(S): Carol Hammett, Deputy County Attorney

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board convey the Easement to Duke University Health Systems, Inc, and authorize the Manager to execute an easement agreement.

County Manager: Michael M. Reppin

	Motion	Yes	No
() Approved			
() Denied			
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____



LEGEND

- GAS LINE
- GAS RIGHT OF WAY
- FIBER OPTIC (EXISTING) COMMUNICATION LINES
- FIBER OPTIC (PROPOSED) COMMUNICATION LINES
- FIBER OPTIC (ABANDON) COMMUNICATION LINES
- RIGHT OF WAY

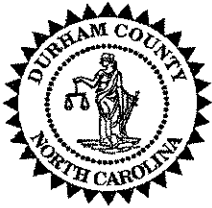
NOT PLOTTED TO SCALE

GAS EASEMENT LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	N 80° 35' 18" E	1616.20'
L2	N 75° 43' 21" E	164.78'
L3	N 66° 11' 18" E	1409.95'

1,104.73 L.F. WISTERIA AVENUE 80'
CLOSED PUBLIC R/W
RIGHT OF WAY CLOSED=84,939.89 S.F.

NORTH DUKE STREET-US 501 BYPASS
100' PUBLIC R/W



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COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form

ITEM: PUBLIC COMMENTS

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

The Board of Commissioners is requested to vote on the proposed amended changes to the County's procedure on Public Hearings and the Public Comment Period.

RESOURCE PERSON(S): Lowell Siler, County Attorney; Kathy R. Everett-Perry, Assistant County Attorney.

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board consider the proposed changes to Durham County's current procedure as presented and vote to amend them, if appropriate.

County Manager: _____

Richard M. Rappin

	Motion	Yes	No
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- () Approved
() Denied

Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

Proposed Amendments

RULES OF PROCEDURE FOR DURHAM COUNTY COMMISSIONERS TO GOVERN WORK SESSIONS

III. CITIZEN COMMENT

Proposed Changes

~~Any citizen of Durham County shall have the right to request, in writing to the Clerk to the Board, that any item be placed on the agenda for consideration by the Board at a Worksession. The request should include a summary of the issue being presented and such background material as the requester deems relevant. Upon such request in writing, the Clerk shall forward the request to the County Manager and Chairman of the Board who shall determine whether, in their discretion, to place the item on an appropriate agenda, or whether the matter can be handled by the County Administration. If the item is placed on an agenda, the person making the request shall have up to five minutes to speak on the item. The request must be submitted to the Clerk to the Board at least two weeks preceding the meeting date as provided on Page 9, Agenda. —~~

The Board of Commissioners will provide a 30-minute comment period at the beginning of its Work Session meeting on the first Monday of each month. Any citizen of Durham County wishing to speak shall have an opportunity to do so. Speakers must sign in prior to the start of the meeting providing a mailing/email address and telephone number so that staff may reply to comments and/or questions. The Board may not comment on issues presented, but may address its concerns through staff, if a response is warranted. However, citizens who require an immediate response from the Board are encouraged to submit a brief description of the issue to the Clerk to the Board two weeks prior to the Work Session to allow an opportunity for research prior to the meeting. All speakers shall have three minutes to speak and are requested to refrain from addressing issues related to personnel matters.

RULES OF PROCEDURE FOR THE DURHAM COUNTY BOARD OF COMMISSIONERS

Field 6

PUBLIC HEARINGS (Proposed Changes Are In Red)

Public hearings required by law or deemed advisable by the Board shall be organized and adopted by a majority vote, setting forth the subject, date, place, and time of hearing.

| The Board may adopt a standing rule that the staff may scheduled and give notice of public hearings on request for zone changes and special use permits pursuant to the Planning and Zoning Ordinance.

| At the appointed time, and after the staff or other appropriate persons have presented the item, the eChairpersonman shall ~~call the hearing to order~~ open the public hearing , and when the allotted time expires or no one who has not yet spoken wishes to do so, the chairman shall declare the hearing ended. To the extent required by state law, the chairman shall have the authority to administer oaths or authorize the Clerk to do so to witnesses presenting evidence in public hearings. Except for matters requiring a quasi-judicial public hearing, the party presenting the request shall have ten minutes to present its request. Any other persons speaking either in favor of or opposed to the request shall have three minutes each for their remarks. Additional time shall be allowed for all speakers to answer questions from the Board of Commissioners. Each individual signed up to speak shall only be entitled to the time allotted. Individuals signed up to speak shall not be allowed to yield their allotted time to another speaker. Rebuttals will only be permitted if deemed necessary by the eChairman, with time limits therefore being set in the discretion of the eChairman.



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**COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form**

ITEM: Board and Commission Appointments

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

Michelle Parker-Evans, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards and commissions:

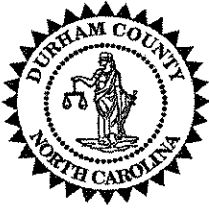
- Adult Care Home Community Advisory Committee
- Community Child Protection Team/Child Fatality Prevention Team
- Durham Convention & Visitors Bureau
- EMS Council
- Nursing Home Community Advisory Committee
- Women's Commission

RESOURCE PERSON(S): Michelle Parker-Evans, Clerk to the Board

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board of County Commissioners vote to appoint members to the above-mentioned boards/commissions.

County Manager: *William M. Reppin*

		Motion	Yes	No
<input type="checkbox"/> Approved	Bowser	_____	_____	_____
<input type="checkbox"/> Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
	Page	_____	_____	_____
	Reckhow	_____	_____	_____



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COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form

ITEM: Closed Session

DATE OF BOCC MEETING: November 22, 2010

REQUEST FOR BOARD ACTION:

The Board of Commissioners is requested to adjourn to closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, pursuant to G.S. § 143-318.11(a)(6).

The Board is requested to adjourn to Closed Session pursuant to G. S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of a business or industry.

RESOURCE PERSON(s): Mike Ruffin, County Manager

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board adjourn to closed session and provide directives as appropriate.

County Manager: *Richard M. Ruffin*

	Motion	Yes	No
() Approved			
() Denied			
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____